

#9

GRAYCARY. TECHNOLOGY'S LEGAL EDGE®4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133
www.graycary.comO] 858-677-1496
F] 858-677-1465**FAX TRANSMISSION COVER SHEET****February 11, 2002**

To: **Ms. T. Stokes**
U.S. Patent and Trademark Office

Telephone: **(703) 308-1202**

Fax Number: **(703) 308-7751**

From: Richard J. Imbra
858-677-1496

Client-Matter Number: 102894-23

Re: United States Patent Application No. 09/935,280
Entitled : METHODS AND REAGENTS FOR MOLECULAR CLONING
Filed : August 21, 2001
Inventors : Chesnut et al.
Our Ref. : INVIT1300-1

Pages: - 24 - (including this form) **Originals:** ☐ will be mailed ☒ will not be mailed

If there is a problem with this transmission, please call: Aldon Griffis/(858) 638-6756
Fax Operator/Ext.

Message:

Pursuant to your request during your conversation with my assistant, Aldon, on Friday, February 8, 2002, following please find the Missing Parts that were filed with the USPTO on November 27, 2001 (including the postcard stamped by the USPTO on January 10, 2002). For your convenience, we have also included a power of attorney for Sloan Kettering Institute for Cancer Research that was filed separately on January 31, 2002.

Please contact our office if you have any questions. Pursuant to your direction, we will not respond to the Notice of Incomplete Reply (Nonprovisional) mailed January 11, 2002 based on the contents of this facsimile communication.

Thank you for your assistance.

CONFIDENTIALITY NOTICE

This communication is ONLY for the person named above. Unless otherwise indicated, it contains information that is confidential, privileged or exempt from disclosure under applicable law. If you are not the person named above, or responsible for delivering it to that person, be aware that disclosure, copying, distribution or use of this communication is strictly PROHIBITED. If you have received it in error, or are uncertain as to its proper handling, please immediately notify us by collect telephone and mail the original to us at the above address. Thank you.

GRAY CARY WARE & FREIDENRICH

401 B STREET, SUITE 2000 SAN DIEGO, CA 92101

CHECK NO.:

494732

INVOICE	DATE	AMOUNT	
11/19/01 21489-2	11-19-01	1,914.00	102894-23 Aldon x6756

PATENT DOCKETING
JAN 23 2002
GRAYCARY/T.ELLIS

PATENT ATTORNEY DOCKET NO.: INVIT1300-1
The Patent and Trademark Office date stamp sets forth the receipt date of:
Applicant or Patentee: Chesnut et al. Filing or Issue Date: August 21, 2001

Serial No.: 09/935,280

Title: METHODS AND REAGENTS FOR MOLECULAR CLONING

☐ Transmittal Letter (2 copies) ☐ Petition for Extension of Time (2 pg.)

☒ Response to Notice to File Missing Parts (2 pg.) (in duplicate)

☐ Issue Fee ☐ Request Patent Copies

☒ Check: \$1,914.00 (Check # 494732)

☐ Drawings: Sheets ☐ Status Inquiry (pg.)

☒ 3 Declarations (12 pg.) ☐ Certificate of Correction (pg.)

☐ Small Entity Statement ☐ Notice of Appeal (pg.)

☒ Power of Attorney (2 pg.) ☐ Appeal Brief (pg: 3 copies)

☐ Change of Attorney Address (pg.)

☐ Assignment/Recordal Cover Sheet (4 pg.)

☒ Copy of Notice to File Missing Parts (1 pg.)

☐ Information Disclosure Statement (pg.)

☐ Form PTO-1449 (pg.)

☐ Number of Prior Art References:

☐ Sequence Listing (pg.) ☐ Declaration (pg.) ☐ Verified Statement (pg.) ☐ Disk

Other

Atty/Sec Initials: LAH/RJI:ag Client Name: 102894-23

Date Mailed: 11/27/01
Date Due: 12/02/01

VENDOR ID: cpt

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND-NOT A WHITE BACKGROUND

GRAY CARY WARE & FREIDENRICH

401 B STREET, SUITE 2000
SAN DIEGO, CA 92101-4240COMERICA Controlled Disb
Comerica Bank & Trust, NA

CHECK NO. 494732

DATE 11/19/01

AMOUNT OF CHECK
*** **1,914.00

ONE THOUSAND NINE HUNDRED FOURTEEN AND 00/100 U.S. Dollar

GRAY CARY WARE & FREIDENRICH
GENERAL ACCOUNTPAY
TO THE
ORDER OF

COMMISSIONER OF PATENTS & TRADEMARKS

Tracy M. Th...

Sharon L. Plummer

VOID AFTER 180 DAYS

EXPLANATION OF ADDITIONAL SECURITY FEATURES INDICATED ON REVERSE SIDE

494732 0724047861 21769890

PATENT
Attorney Docket No.: INVIT1300-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Chesnut et al. Art Unit: 1645
Application No.: 09/935,280 Examiner: Unassigned
Filed: August 21, 2001
Title: METHODS AND REAGENTS FOR MOLECULAR CLONING

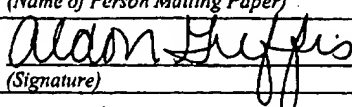
BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts of Application mailed October 2, 2001,
enclosed are:

1. A copy of the Notice to File Missing Parts of Application (1 page);
2. Three Declarations For Patent Application (12 pages);
3. Power of Attorney by Assignee (2 pages);
4. Check No. 494732 in the amount of \$1,914.00; and
5. Return Receipt Postcard.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, November 27, 2001, in an envelope addressed to: Box MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231.	
Aldon Griffis	
(Name of Person Mailing Paper)	
	November 27, 2001
(Signature)	(Date)

In re Application of:
 Chesnut et al.
 Application No.: 09/935,280
 Filed: August 21, 2001
 Page 2

PATENT
 Attorney Docket No.: INVIT1300-1

Applicants claim large entity status in the above-identified application.


The filing fee has been calculated as follows.

	Number Filed		Number Extra		Rate			Fee	
					Small Entity	Large Entity		Small Entity	Large Entity
Total Claims	64-20	=	44	X	\$09	\$18	=	\$.00	\$ 792.00
Independent Claims	6-3	=	3	X	\$42	\$84	=	\$ 80.00	\$ 252.00
Multiple Dependent Claims Presented: ____ Yes <u> X </u> No					\$140	\$280		\$.00	\$.00
BASIC FEE								\$ 370.00	\$ 740.00
TOTAL FEE								\$.00	\$ 1,784.00

Enclosed is Check No. 494732 in the total amount of \$1,914.00; which consists of \$792.00 for the additional 44 claims over 20 claims, \$252.00 for the additional 3 independent claims over 3 independent claims, \$740.00 for the large entity filing fee and \$130.00 for the large entity surcharge fee. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: November 27, 2001


 Richard J. Imbra
 Registration No.: 37,643
 Telephone: (858) 677-1496
 Facsimile: (858) 677-1465

USPTO CUSTOMER NUMBER 28213
 GRAY CARY WARE & FREIDENRICH LLP
 4365 Executive Drive, Suite 1100
 San Diego, California 92121-2133

OCT 0 5 2001

GRAYCARY/GT.PATENT
UNITED STATES PATENT AND TRADEMARK OFFICECOMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/935,280	08/21/2001	Jonathan D. Chesnut	INVIT1300-1

CONFIRMATION NO. 8805

FORMALITIES LETTER



OC000000006831509

Lisa A. Haile, J.D., Ph.D.
GRAY CARY WARE & FREIDENRICH LLP
Suite 1600
4365 Executive Drive
San Diego, CA 92121-2189

Date Mailed: 10/02/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1032.
 - \$792 for 44 total claims over 20.
 - \$240 for 3 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1872.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

PATENT ATTORNEY DOCKET NO.: INVIT1300-1
The Patent and Trademark Office date stamp sets forth the receipt date of:
Applicant or Patentee: Chesnut et al. **Filing or Issue Date:** August 21, 2001
Application No.: 09/935,280
Title: METHODS AND REAGENTS FOR MOLECULAR CLONING
☒ Transmittal Letter (2 pgs in duplicate) ☐ Petition for Extension of Time (2 pgs.)
☐ Amendment/Response (pgs) ☐ Change of Attorney Address (1 pg.)
☐ Issue Fee ☐ Request Patent Copies
☐ Check:
☐ Drawings: ___ Sheets (Informal) ___ Sheets (Formal) ☐ Notice of Appeal (pgs.)
☐ Declaration (pgs.) ☐ Appeal Brief (pgs.; 3 copies)
☐ Small Entity Statement ☐ Status Inquiry (pgs.)
☒ Power of Attorney (2 pgs.) ☐ Certificate of Correction (pgs.)
☐ Assignment/Recordal Cover Sheet (pgs.)
☐ Copy of Notice to File Missing Parts
☐ Information Disclosure Statement (pgs.)
☐ Form PTO-1449 (pgs.)
☐ Number of Prior Art References: ____
☐ Sequence Listing (pgs.) ☐ Verified Statement (pgs.) ☐ Disk
☐ Declaration (pgs.)
☒ Other: Return Receipt Postcard
Atty/Sec Initials: LAH/RJI:ag **Client Name:** 102894-23 **Date Mailed:** 1/31/02

PATENT
ATTORNEY DOCKET NO.: INVIT1300-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Chesnut et al. Art Unit: 1645
Application No.: 09/935,280 Examiner: Unassigned
Filed: August 21, 2001
Title: METHODS AND REAGENTS FOR MOLECULAR CLONING

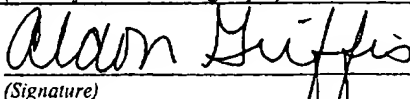
Commissioner for Patents
Washington, DC 20231

TRANSMITTAL SHEET

Sir:

Transmitted herewith for the above-identified application please find:

1. Power of Attorney by Assignee (2 pages);
2. Return Receipt Postcard.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, January 31, 2002, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.	
Aldon Griffis (Name of Person Mailing Paper)	
 (Signature)	January 31, 2002 (Date)

In the Application of:

Chesnut et al.

Application No.: 09/935,280

Filed: August 21, 2001

Page 2

PATENT

Attorney Docket No. INVIT1300-1

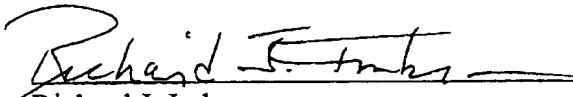
The Fee for this Response is calculated as follows:

For	Claims Remaining After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity Rate	Large Entity Rate	Calculations
Total Claims	64	64	0	x \$09	x \$18	\$.00
Independent Claims	6	6	0	x \$42	x \$84	\$.00
Multiple Claims				\$140	\$280	\$.00
Basic Filing Fee				\$370	\$740	\$.00
					TOTAL FEE	\$.00

No fee is deemed necessary in connection with the filing of this paper. However, if a fee is required, the Commissioner is hereby authorized to charge any other fees associated with the filing submitted herewith, or credit any overpayments to Deposit Account No. 50-1355. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: January 31, 2002


Richard J. Imbra
Registration No. 37,643
Telephone: (858) 677-1496
Facsimile: (858) 677-1465

USPTO Customer Number 28213
GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133